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The Office of the Secretary
Attention: FCC Docket 96-289
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

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July 25, 1996

I would like to comment on the "FCC Rulemaking on 800 Unfair Billing Practices Law", dated July 12, 1996. The FCC has proposed to extend a presubscription and/or credit/calling card requirement to 900 numbers.

Movo Media, Inc. develops custom audiotex software and runs 70 dateline systems in 30 cities across the United States. We have 70 employees and lease 6000 square feet of office space in Los Angeles. Our business continues to prosper because we offer our customers quality services at fair prices. Many of our customers have used our services for years because of the quality, value, and support they receive from Movo Media, Inc.

We use a combination of 976 and 900 numbers as the means to collect our revenue. We use 800 numbers for our customer service lines. We publish our 800 customer service line in all our advertising because we want our customers to contact us when they need assistance. When we receive a complaint from a customer, we work with them to solve their problems and give them free time on our system if they feel they didn't receive value for the money they have spent. The telephone companies we work with including AT&T confirm our high quality customer service keeps our chargebacks low. We have very few customers that do not end up with complete satisfaction from our company. It is rare to find a customer who does not understand that calling a 900 or 976 number results in a charge on their telephone bill.

We are concerned that the FCC could apply the 800 Unfair Billing Practices Law to 900 and 976 numbers. This action is unfair because the problem the FCC is solving applies only to vendors charging unfairly for 800 numbers, not 900 or 976 numbers. Our experience shows us that the public is quite familiar with the fact that charges are incurred on 900 and 976 numbers, but that 800 numbers should be free. Movo Media uses 900, 976, and 800 numbers for their intended purposes, our customers understand this completely, and our business prospers with happy customers.

Our customers enjoy the billing convenience of 900 numbers because it gives them easy and instant access to our services. We have experimented with other billing systems but our customers prefer using 900 numbers. Complicating the use of 900 numbers

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would raise our costs, frustrate our customers, and drastically lower our call volumes to the point that users may not even be attracted to use our services. A large portion of the success of Movo Media is the fact that the easy use of 900 numbers creates a high volume environment that our customers enjoy.

If the FCC interprets the 800 Unfair Billing Practices Law to include 900 numbers, we are concerned about the survival of our business. We feel it would cut our revenues by a minimum of 50%, force us to lay off half our work force, and possibly cause us to default on our office lease. This is unfortunate because our current success has allowed us to invest in software development for the Internet. We have been expanding the company in part by hiring ex-aerospace workers. We are proud to be a small company participating in the transfer of ex-aerospace workers to the new telecommunications and Internet industry. It's a fact that our success with 900 numbers as they are currently implemented has given us the opportunity to become one of the fastest growing employers in our area. It would be sad for the government to use burdensome regulation to halt our company's fast growth.

We strongly support the fact that TDDRA already provides the necessary protections to customers using 900 numbers: it prohibits the termination of phone service due to failure to pay disputed phone charges; it enables callers to hang-up on a 900 pay-per-call before the end of the preamble without being charged; and it allows households to order 900 call blocking. Congressman Bart Gordon who developed the 800 Unfair Billing Practices legislation does not support this FCC proposal to extend a presubscription and/or credit/calling card requirement to 900 numbers. Mr. Gordon understood the problem he was trying to solve, and it was solved. It is not necessary to expand his legislation further.

We urge the FCC to understand that not all companies using 900 numbers participate in fraudulent activity, and it is unfair to penalize those of us that operate legally and professionally.

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